

Introduced by Senator Cox

January 30, 2006

An act to amend Section 21061 of the Public Resources code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1216, as introduced, Cox. Environment: CEQA.

The California Environmental Quality Act (CEQA) requires a federal agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would make technical and nonsubstantive changes to the definition of "environmental impact report."

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21061 of the Public Resources Code is  
2 amended to read:  
3 21061. "Environmental impact report" means a detailed  
4 statement setting forth the matters specified in Sections 21100  
5 and 21100.1; ~~provided that. The information or data which that is~~  
6 relevant to ~~such a~~ *the* statement and is a matter of public record,  
7 or is generally available to the public need not be repeated in its  
8 entirety in ~~such the~~ *the* statement, but may be specifically cited as the  
9 source for conclusions stated ~~therein; and provided further that~~  
10 ~~such in the statement.~~ *The information or data shall be briefly*

1 described,~~that its~~ *in the statement. The relationship between the*  
 2 *information or data* to the environmental impact report shall be  
 3 indicated,~~and that the~~ *in the statement. The source thereof of the*  
 4 *information and data* shall be reasonably available for inspection  
 5 at a public place or public building. An environmental impact  
 6 report also includes any comments~~which~~ *that* are obtained  
 7 pursuant to Section 21104 or 21153, or~~which~~ *that* are required to  
 8 be obtained pursuant to this division.

9 An environmental impact report is an informational document  
 10 ~~which~~ *that*, when its preparation is required by this division, shall  
 11 be considered by every public agency prior to its approval or  
 12 disapproval of a project. The purpose of an environmental impact  
 13 report is to provide public agencies and the public in general with  
 14 detailed information about the effect ~~which~~ *that* a proposed  
 15 project is likely to have on the environment; to list ways in which  
 16 the significant effects of ~~such a~~ *the proposed* project might be  
 17 minimized; and to indicate alternatives to ~~such a~~ *the proposed*  
 18 project.

19 In order to facilitate the use of environmental impact reports,  
 20 public agencies shall require that ~~such~~ *the* reports contain an  
 21 index or table of contents, and a summary. Failure to include  
 22 ~~such~~ *the* index, table of contents, or summary shall not constitute  
 23 a cause of action pursuant to Section 21167.